

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Case No.: 3:23-cv-00361-ART-CSD

TIMOTHY JOHNSON,
Plaintiff

Order

v.

DANA MARKS, et al.,
Defendants

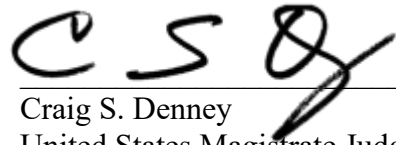
Pending before the court is Plaintiff's motion for temporary restraining order and preliminary injunction. (ECF Nos. 14, 15.) Plaintiff seeks an order directing NDOC to have him seen by a urologist or oncologist for his bladder tumor, and a vascular surgeon for his aortic aneurysm. After briefing was completed on the motion, the court held a hearing on January 3, 2023. By that time, Plaintiff had seen a urologist—Dr. Nixon, on December 14, 2023, who recommended surgery for removal of the tumor as soon as possible. The court requested that Deputy Attorney General Rands file a notice concerning the scheduling of that surgery. (ECF No. 39.) Mr. Rands filed the notice that the surgery was scheduled, and he provided the dates to the court under seal. (ECF Nos. 40, 41.)

By this time, the surgery should have taken place and Plaintiff should have had his follow up appointment. On or before **February 14, 2024**, Mr. Rands shall file a status update advising the court whether Plaintiff has in fact had his surgery and follow up appointment. Mr. Rands shall also file under seal (no motion for leave is necessary) the surgical report as well as the follow up report from Dr. Nixon. Finally, Mr. Rands shall ensure that Plaintiff is given a reasonable opportunity to review these records.

1 After the court receives the status update and related filings, it will issue a report and
2 recommendation Plaintiff's motion for injunctive relief.

3 **IT IS SO ORDERED.**

4 Dated: February 7, 2024

5 
6 Craig S. Denney
United States Magistrate Judge